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Nineteenth progress report of the Secretary-General on the United Nations Mission in Liberia

I. Introduction

1. By its resolution 1836 (2008), the Security Council extended the mandate of the United Nations Mission in Liberia (UNMIL) until 30 September 2009, and requested me to report on progress made in achieving the core benchmarks set out in my reports of 8 August 2007 (S/2007/479) and 19 March 2008 (S/2008/183) and make recommendations on any further adjustments to the Mission's military and police components, as the situation permits and without compromising the security of Liberia. The requested recommendations were presented in my special report on UNMIL (S/2009/299), dated 10 June 2009. The present report therefore focuses on major developments in Liberia since my progress report of 10 February 2009 (S/2009/86), and also contains the findings and recommendations of the electoral needs assessment mission that visited Liberia in May.

II. Major developments

A. Political developments

2. During the reporting period, political activity in Liberia was dominated by events related to the work of the Truth and Reconciliation Commission. After holding regional consultations throughout the country, the Commission convened a national reconciliation conference in June, bringing together some 500 delegates from all 15 counties and the Liberian diaspora. On 30 June the Commission concluded its mandate and submitted to the legislature and the President an unedited consolidated final report.

3. In its report, the Truth and Reconciliation Commission outlines the root causes of the Liberian conflict, expresses the view that all factions committed egregious violations of domestic and international criminal law, international human rights law and international humanitarian law, and sets forth a wide range of recommendations on accountability, reparations, and amnesty, as well as legal, institutional and other reforms. The Commission's recommendations include the establishment of an extraordinary criminal tribunal to prosecute those identified as having committed gross violations of human rights and economic crimes. Eight leaders of the warring factions, including the former President, Charles Taylor, as well as a list of

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98 individuals identified as "most notorious perpetrators" are among those recommended for prosecution. Thirty-six persons have been identified as being responsible for war crimes and crimes against humanity, but are not recommended for prosecution because they spoke truthfully before the Commission and expressed remorse. The Commission's report also includes a "non-exhaustive" list of 50 individuals identified as financiers or supporters of the warring factions who the Commission recommends be subject to public sanctions, including being barred from public office for a period of 30 years. That list includes the President, Ellen Johnson-Sirleaf, among other political figures and serving members of the Government.

4. Reactions to the Commission's report have so far been mixed. Two Commissioners issued dissenting reports, expressing their view that the recommendations of the Commission would not further national reconciliation. Six of the former faction leaders recommended for prosecution gave a joint press conference in Monrovia, during which they strongly rejected the recommendations, saying they contravened the immunity signed into law by then-President Taylor in 2003, as well as the letter and spirit of the Comprehensive Peace Agreement of 2003. Civil society groups have been active in the public debate surrounding the Commission's recommendations. The Liberian Council of Churches has been discussing the report with a range of stakeholders, including the Commissioners, leaders of the warring factions, and some individuals recommended for public sanctions. Nearly 60 civil society organizations have issued a joint statement welcoming the report, while condemning threats made to some Commissioners. The International Contact Group on Liberia also released a statement similarly condemning the threats and urging the Government to establish the Independent National Commission on Human Rights, which is mandated to oversee implementation of the recommendations of the Truth and Reconciliation Commission.

5. With respect to the way forward, the Truth and Reconciliation Commission Act of 2005 requires that all of the Commission's recommendations be implemented, and the President is expected to report on the status of implementation to the legislature on a quarterly basis. Although the report does not require legislative approval, certain legislation may be needed to implement the recommendations. A special committee established by the House of Representatives presented the results of its deliberations on the report to the plenary on 21 July and proposed that the legislature should hold nationwide consultations on the issue. On 27 July, while speaking on the occasion of Liberia's 162nd year of independence, President Johnson-Sirleaf assured the Liberian people that she would be committed to working with all stakeholders to implement the Commission's recommendations, where the report lives up to its mandate and mission.

6. The Government has also taken other national reconciliation initiatives, including measures to address the contentious issue of land reform. The President endorsed the recommendations of a special commission established to mediate persistent land disputes in Nimba County. The role of traditional chiefs in the reconciliation process as Liberia's unifying strength was underlined in July, with the official opening of a new headquarters in Monrovia for the National Traditional Council of Liberia.

7. In the meantime, the start of Mr. Taylor's defence in July in The Hague, where he is on trial in connection with war crimes perpetrated in Sierra Leone, is being followed in Liberia. Of particular interest is his testimony regarding the role that various public officials played during the Liberian civil war.

8. In keeping with her focus on enhancing the performance of the Government in delivering on the poverty reduction strategy, and to emphasize accountability and efficiency, President Johnson-Sirleaf made major Cabinet changes during the period under review. In April, the President relieved from their posts or redeployed the Ministers of agriculture, labour, public works and transport. In June, further changes were made to several ministries, State-owned enterprises and political subdivisions. The changes particularly targeted the justice and security sectors, which had delivered poor implementation rates under the poverty reduction strategy, with the appointment of a new Minister of Justice, Minister of National Security and Solicitor-General, as well as new directors for the Liberia National Police, the National Bureau of Investigation and the Special Security Services.

9. A new Senate President pro tempore was elected on 26 March, ending a leadership dispute that had seriously hampered the work of the legislature in 2008. The legislature has since approved a number of concession agreements and large-scale commercial contracts, and adopted important legislation, including amendments to the 2005 Act establishing the Independent National Commission on Human Rights and the Act establishing the Lands Commission to mediate land disputes. Also, following joint public hearings, the legislature adopted the $371.9 million national budget for fiscal year 2009/10 in record time. Owing to limited institutional capacity, significant bills are still pending, but the fact that both legislative houses adopted amended standing rules and validated a draft strategic plan for strengthening the legislature is a positive development.

10. The political landscape in Liberia further evolved during the period: the ruling Unity Party and the opposition Liberia Action Party and Liberia Unification Party signed articles of merger. Alliances have also been formed between opposition parties, including an agreement to create a broad-based coalition involving the Congress for Democratic Change, the Liberia National Union and the National Patriotic Party to contest the 2011 elections. However, political party structures remained organizationally weak and centred, to a large extent, on political personalities rather than detailed political programmes.

11. The Under-Secretary-General for Peacekeeping Operations visited Liberia from 14 to 17 June, to consult with national and international stakeholders and take stock of UNMIL operations. His meetings with all interlocutors, including President Johnson-Sirleaf and members of the Liberian security sector, confirmed the findings of the technical assessment mission, contained in my special report of 10 June, particularly the fragility of the prevailing peace, the need to expedite the development of the country's security institutions and the rule of law sector, and the importance of enhanced political dialogue and reconciliation.

B. Security situation

12. The security situation remained generally stable, although still fragile, during the period under review. Law and order incidents, including rape and armed robbery,

were prevalent. Communal and mob violence also continued, often emanating from tensions between ethnic groups and communities over land disputes.

13. Tensions were also witnessed between members of the Liberian armed and security forces in Monrovia; Armed Forces of Liberia soldiers assaulted Liberia National Police officers in three separate incidents in February, April and May. Aggravated by the drastic drop in rubber prices, the situation at some plantations remained tenuous, including at Guthrie Rubber Plantation, where 200 employees protesting against the non-payment of their salaries took a Bomi County senator hostage and burned down a local police station in March. The National Police Support Unit, with UNMIL support, intervened to restore order.

14. Relatively minor disputes continued to escalate rapidly into major destabilizing events. On 14 June, widespread violence broke out in Harper, Maryland County, in the south-east, triggered by allegations of a ritual killing. The incident quickly deteriorated into a riot involving more than 2,000 people, who ransacked the local police station and seriously damaged the prison, allowing the escape of 34 prisoners. Liberia National Police officers were stoned by the crowd and national corrections officers were doused in gasoline and nearly killed. It took the combined efforts of UNMIL military and formed police unit personnel, national police officers and local authorities to contain the situation.

15. UNMIL continued to monitor security challenges related to ex-combatants, whose residual organizational capacity and command structures, although so far mainly utilized for economic activities, are often contributing factors in the escalation of security incidents. In July, President Johnson-Sirleaf officially closed the national disarmament, demobilization, rehabilitation and reintegration programme, which had successfully disarmed and demobilized more than 101,000 ex-combatants, and provided reintegration assistance to more than 90,000 former combatants since 2003. However, high unemployment, particularly among young people, continues to be a security risk. The Mission also continued to monitor trafficking of drugs and light weapons. Recent seizures have indicated that the production of marijuana in Liberia exceeds domestic consumption, and cross-border networks have been established which could be utilized for trafficking and other illegal economic activities.

C. Economic situation

16. The Government continued to implement its poverty reduction strategy "Lift Liberia", convening a Cabinet-level retreat in April to assess progress on deliverables and finding that, notwithstanding the progress made, implementation had been slow because of a lack of resources and capacity. In June, the Minister of Planning and Economic Affairs publicly announced that the Government had attained only 20 of the 107 Year One deliverables of the strategy. This figure is misleading, however, as some Year Two deliverables have already been achieved. Another Cabinet-level retreat is planned for mid-August, to create an action plan to fast-track overdue and at-risk deliverables across all sectors.

17. At the macro level, the Liberian economy is expected to grow nearly 5 per cent in 2009, down from 7.1 per cent in 2008, in large part owing to the negative impact of the global economic crisis on international demand for commodities and lower capital inflows. Decreasing food and fuel prices contributed to a significant decline

in inflation, which dropped to 7 per cent in May, from its peak of 27 per cent in August 2008. Nominal gross domestic product was estimated at $871 million, or $221 per capita in 2008. Measured against the modest national budget of $298 million for fiscal year 2008/09, national revenue collection rose nearly 25 per cent last year.

18. Liberia has undertaken a number of economic reform initiatives, and the second programme review completed by the Executive Board of the International Monetary Fund in May found that the country remains on track. While gains have been made in improving external competitiveness, significant structural bottlenecks remain, however, including capacity constraints, inadequate infrastructure, and delays in obtaining legislative approval of public financial management reforms. The urgency of the Government's creating a transparent and predictable investment climate, including through effective enforcement of its anti-corruption measures, is heightened by the continuing decline in foreign direct investment and remittances.

19. In an effort to lessen the impact of the global economic downturn, and to mitigate the high unemployment rate that severely affects the availability of livelihood opportunities for ex-combatants and other high-risk youth, UNMIL, together with the World Bank, the United Nations Development Programme (UNDP) and the World Food Programme, continued to use labour-intensive road repairs to create short-term employment and promote stability in high security risk areas, including near unstable rubber plantations and border areas. From January to June, nearly 13,000 jobs were created, women representing approximately 25 per cent of the workforce.

D. Humanitarian situation

20. In lieu of a 2009 humanitarian appeal, in March the Liberia country team of the Inter-Agency Standing Committee issued an advocacy paper, highlighting health, water and sanitation, food security, nutrition, education and protection as key areas with residual humanitarian challenges that require immediate action in line with the poverty reduction strategy. Contingency planning for potential cross-border movements from Côte d'Ivoire or Guinea, led by the Office of the United Nations High Commissioner for Refugees (UNHCR), continued. The World Health Organization, the United Nations Children's Fund and the United Nations Population Fund continued support for the Government's efforts to reduce the high maternal mortality rate, including by rehabilitating and equipping damaged infrastructures, and training staff.

21. The voluntary refugee repatriation exercise, which resumed in April 2008 for the purpose of repatriating Liberian refugees based in Ghana, ended in March 2009 with 10,344 refugees having been assisted to return from the subregion. Since the end of the civil war, a total of 122,810 Liberian refugees have been assisted to return and 45,954 refugees returned to Liberia spontaneously. However, as many as 65,000 Liberian refugees remain in West Africa.

E. Regional situation

22. On 11 July, the ruling military authority in Guinea, the Conseil national pour la démocratie et le développement, announced that armed forces financed by drug

traffickers had gathered in the border areas of Guinea-Bissau, Liberia and Senegal to attack Guinea in retaliation for recent action taken by Guinean authorities against high-profile persons associated with international drug cartels. In response, Liberia asserted that the country's territory would never again be used to launch an attack on its neighbours. Following reports that the Guinean army had been placed on high alert along the border, UNMIL and Liberian security officials conducted investigations that did not reveal any evidence of illegal armed elements. Regular joint patrols involving UNMIL, together with Liberian and Guinean security forces, confirmed that the situation along the Guinea-Liberia border remained calm.

23. Drug trafficking poses a serious threat to the stability of the subregion and could undermine the gains made in building security and rule of law institutions in Liberia, Côte d'Ivoire and Sierra Leone, as well as the peace consolidation efforts in those countries. Following consultations with police-contributing countries and the leadership of UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI), I intend to temporarily redeploy one police adviser from each mission to the United Nations Office for West Africa in Dakar, for an initial period of three months, to support the implementation of the action plan to combat illicit drug trafficking and transnational organized crime of the Economic Community of West African States (ECOWAS). Meanwhile, on 27 May, Liberia ratified the ECOWAS convention on small arms and light weapons.

24. UNMIL, UNOCI and UNDP conducted a joint field mission to western Côte d'Ivoire in April, which found that many of the estimated 1,500 to 2,000 Liberian combatants associated with the Ivorian militias are involved in illegal exploitation of natural resources with elements of the Ivorian militias. Some of the former Liberian combatants have been assimilated to the extent of presenting themselves as Ivorian nationals. UNMIL continued to closely monitor the borders, and conducted joint operations involving Liberian, Guinean and Sierra Leonean security agencies and UNOCI.

III. Implementation of the mandate of the United Nations Mission in Liberia

A. Security sector reform

National security strategy and architecture

25. Since my special report on UNMIL was issued on 10 June, there have been further developments in reforming the national security strategy and architecture. In keeping with the national security strategy implementation matrix outlining priority deliverables to be achieved by 2011, strategic plans are being developed by the Bureau of Immigration and Naturalization and the Bureau of Customs and Excise, with UNMIL support. The Ministry of Defence completed and has initiated consultations on its draft national defence strategy, while the development of a gender policy for the Ministry has begun, in accordance with Security Council resolution 1820 (2008) on women and peace and security. However, delays in enacting the Liberia Security Reform and Intelligence bill, submitted in 2007, continued to hamper security and intelligence coordination. Significant progress was, however, made in developing a new county security mechanism, which will extend security coordination to the counties.

26. The Government also made efforts to meet the operational requirements of the rule of law and security sectors, increasing their budgetary allocation by nearly 25 per cent over the previous fiscal year. The budgets of the Armed Forces of Liberia and the Liberia National Police have been increased by nearly a third in the national budget for 2009/10.

Armed Forces of Liberia

27. Development of the new 2,000-strong Armed Forces of Liberia continued to make progress. The first battalion started the United States Army Training and Evaluation Programme, which it will complete in September, while the second battalion will complete the programme in December. At that time, the United States contractors currently training and equipping the force will hand over to the Ministry of Defence, which will assume responsibility for training and standing up the new army. The United States has indicated that it plans to assign as many as 60 United States serving military personnel to continue mentoring the Armed Forces of Liberia, beginning in January 2010.

28. UNMIL started a process with the Ministry of Defence and the Armed Forces of Liberia for its training and mentoring of the new army, which will be delivered in two phases. The first phase began in July and provides for UNMIL military familiarization and support to training exercises until December. Starting in January 2010, the second phase will involve more structured training and mentoring, in line with the national defence strategy and doctrine. Under the leadership of a steering group comprising representatives of the Armed Forces of Liberia, the Ministry of Defence, the United States Embassy in Monrovia and UNMIL, regular working groups are held. However, the transition from undertaking joint planning and operational activities with international partners to being fully independently operational is a challenge for the armed forces, which are not expected to reach this level before 2012. A major issue of concern, which President Johnson-Sirleaf has expressed determination to address, is the gender imbalance in the new Armed Forces of Liberia. As at 1 August, only 58 of the 2,000-strong army are women.

Liberia National Police

29. Senior national police officers presented 18 priority projects in support of the Liberia National Police's strategic plan to the donor community in Monrovia on 23 June. These projects, which have a combined cost of approximately $20 million for all programming over a three-year period, provide the framework for a coordinated effort by UNMIL, the Government of Liberia, and bilateral partners to address the challenges impeding the achievement of the national police's full operational capability. Key areas requiring assistance from Liberia's bilateral partners include police infrastructure, equipment and logistics. The Government also requires budgetary support for the police, as well as guaranteed commitments for recurrent costs, including equipment maintenance and fuel. UNDP has set up a trust fund to manage contributions in support of implementation of the plan. In September, the United Nations will facilitate the presentation of the strategic plan by the Liberia National Police to Liberia's partners in New York.

30. In the meantime, pending formal pledges of assistance, the Liberia National Police continued to face serious constraints to its operational effectiveness, although capacity-building activities have made some progress. Several policies and

procedures, including standard operating procedures for police stations and a policy on professional standards, are being finalized. Significant progress was also made in the implementation of a promotion policy that provides for selecting senior officers on the basis of competitive testing and other set criteria.

31. Recent improvements have also been noted in the capacity of the Liberia National Police to investigate and resolve reported violent crimes in Monrovia, and to investigate complaints of police misconduct. There is, however, still resistance to pursuing criminal cases involving persons of stature or allegations of police misconduct involving senior officers, presumably for fear of retribution.

32. The armed units of the Liberia National Police showed a marked improvement in weapons handling, and there was a decline in the number of reported incidents of questionable discharge of weapons by Emergency Response Unit and Police Support Unit personnel. The fourth class of the Emergency Response Unit began training in May, and recruitment and screening for the fifth class is under way. The unit currently has 207 fully trained personnel, out of its planned strength of 500 officers, while construction of its headquarters in Monrovia is under way.

33. The development of police infrastructure in the counties also made some progress, with the handover of five newly constructed or rehabilitated police stations. Forty additional infrastructure projects are in progress. The Liberia National Police, supported by UNMIL police advisers, are also setting up a system for distributing equipment currently in its inventories, including radios, crime investigation kits, office equipment and supplies.

34. The Bureau of Immigration and Naturalization is receiving increased focus, and a strategic plan to provide a framework for the Bureau's further development is being finalized. The agency's operations are hindered, however, by inadequate infrastructure and communications equipment. Moreover, it has limited trained personnel, weak standard operating procedures, and command and control is extremely weak. In June, the Government of Liberia signed bilateral arrangements for the training of 150 immigration officers in Ghana, which will begin in September.

B. Strengthening judicial, legal and corrections institutions

35. Substantial challenges remain across the legal, judicial and corrections sectors, owing to the lack of capacity, infrastructure and equipment. Strategic plans for addressing these issues have been finalized for the Ministry of Justice and the judiciary, and implementation has begun in some areas. Serious internal problems have stalled development initiatives for the judiciary, however, raising concerns. Insufficient budgetary allocations result in operational limitations and an almost complete dependence on donor funding.

36. The Judicial Training Institute is in the process of developing a training curriculum, and courses are expected to begin by the end of the year, while a privately funded scholarship programme at the Arthur Grimes Law School has increased the total number of public defenders to 18, sufficient to provide at least one for each county. Meanwhile, the Government established a sexual and gender-based violence unit combining investigative and prosecutorial response with victim support. The special sexual and gender-based violence crimes court established in

2008 has overcome a number of its early operational difficulties, and successfully completed its first trial in July 2009.

37. As the judiciary lacks the capacity to dispose of cases in a timely manner, the backlog in the criminal justice system is increasing. The recent spate of mass jailbreaks from Liberia's prisons has increased Government focus on the corrections sector, including the need to address security limitations at prison facilities. Although the five-year strategic plan of the Bureau of Corrections and Rehabilitation has not yet been validated, rehabilitation efforts have started with the launch of a pilot agricultural project at the Zwedru facility. The mobile court project at the Monrovia Central Prison also continued, and has reviewed 1,470 cases since being launched in February, resulting in the release of 472 detainees. The project has helped to stabilize the prison population at the facility, which had typically hovered at around 1,000 inmates. A project has also been initiated at the Monrovia facility to review long-term detentions involving more serious crimes. At the same time, recruitment of national corrections officers has been frozen because of budgetary constraints, and there remain only 171 trained corrections personnel out of the 500 planned for the entire country.

38. Liberian authorities also lack the capacity to adequately secure the prisons, requiring UNMIL to deploy elements of its formed police units at the facilities in Monrovia and Zwedru. Donor funding will be required to develop national capacity to secure the prisons, including through the Police Support Unit in the medium term.

C. Human rights

39. The human rights situation in Liberia continued to improve, although the weakness of rule of law institutions, economic insecurity, and limited access to social services continued to pose serious challenges for the effective protection of human rights. The Government has initiated the development of a national human rights action plan, and established a steering committee, chaired by the Ministry of Justice, to oversee the process. The committee is also expected to play a key role in ensuring that Liberia meets its international treaty reporting obligations. The Independent National Commission on Human Rights has not yet been constituted, though the act establishing it was signed in 2005 and amended in 2009. In addition to following up the implementation of the recommendations of the Truth and Reconciliation Commission, the Commission on Human Rights is expected to serve as an independent institutional focus for reconciliation efforts, as well as a mechanism for the Liberian public to vindicate their rights.

40. Although the provision has not been implemented since 1979, the Liberian penal code still prescribes the death penalty for a number of crimes, despite international pressure for its abolition on the grounds that it constitutes a breach of Liberia's obligations under the Second Optional Protocol to the International Covenant on Civil and Political Rights. The recommendations of the Truth and Reconciliation Commission raise further concerns in that regard, as proposals include prosecuting certain crimes committed during the conflict in domestic courts. The most notorious perpetrators recommended for prosecution in an extraordinary criminal tribunal would not face the death penalty, however, as the extraordinary criminal tribunal would be an internationalized domestic court and therefore apply international standards.

D. Consolidation of State authority throughout the country

41. Notwithstanding the increased deployment of ministry representatives, effective extension of State authority beyond Monrovia remained limited, because of absenteeism of public officials and a lack of logistical support. Measures were however taken to address some of these problems, including programmes to reward attendance and performance. Progress was also made in recruiting trained officials, including through the Senior Executive Service programme, established to attract qualified Liberians into the public service, which attained its recruitment target of 100 well-trained professionals deployed to 22 Government ministries and agencies and all 15 counties. A draft national policy on decentralization and local governance is also under development.

42. The Government continued its efforts to improve access to remote areas of the country, signing in May an agreement with the African Development Bank for a 120-kilometre road linking River Gee and Maryland counties in the south-east of the country. The World Bank-managed reconstruction trust fund also continued to receive contributions for infrastructure projects countrywide. Planned expenditure for the infrastructure development was a major element of the national budget for 2009/10, the Ministry of Public Works receiving nearly 10 per cent of the total budget, or some $40 million, including a $20 million commitment for road rehabilitation.

E. Management of natural resources

43. The Kimberley Process conducted a review in June, to follow up on the recommendations it made in 2008. Three permanent regional offices of the Government Diamond Office to support diamond registration and certification have been included in the budget of the Ministry of Lands, Mines and Energy for 2009/10. There are, however, still no plans to establish an office in Sinoe County, where illegal mining has been reported. In July, the President signed into law the Liberia Extractive Industries Transparency Initiative, which will focus on monitoring revenues from mining, forestry, oil extraction and rubber production. Liberia is the first country to include forestry and rubber production in the mandate of its Extractive Industries Transparency Initiative.

44. The legislature approved the first three forestry management contracts, which will allow large-scale logging operations to begin. The Forestry Development Agency oversaw the bid opening for four additional contracts, which are being considered by the bid evaluation panel. The Government of Liberia also initiated formal negotiations with the European Commission on a voluntary partnership agreement on forest law enforcement, governance and trade. Although legislation concerning community rights to forest land and resources is stalled, the Forestry Development Agency issued regulations on commercial and sustainable extraction of non-timber forest products, forest product processing and marketing, and environmental impact assessment, and initiated vetting on the comprehensive wildlife conservation and protected area management law.

45. Government-initiated measures to regulate the rubber market and mitigate the illegal exploitation of rubber continued. A Malaysian corporation signed a concession agreement, approved by the legislature in July, to invest $800 million for

the production of palm oil and rubber at the Guthrie Rubber Plantation. While the investment is expected to create some 20,000 jobs over the next 10 years, the immediate transition period could raise security concerns as it is not yet clear if the company will rehire all existing employees.

F. Governance

46. On 11 June, the President issued Executive Order No. 20, establishing a Law Reform Commission expected to undertake reform and development of Liberia's laws, ensure harmony and consistency within the law and propose a law reform direction and framework for the nation. Meanwhile, the Constitutional Review Task Force established in January has not yet been constituted.

47. The Government continued to face serious constraints in furthering its anti-corruption agenda, despite some progress made in strengthening oversight mechanisms. The Liberian public widely considered the failure of the Government to obtain convictions in high-profile corruption cases against the former Chairman of the National Transitional Government of Liberia, Charles Gyude Bryant, and the former Speaker of the House of Representatives, Edwin Snowe, as a setback for its anti-corruption efforts.

48. The operational capacity of the Liberia Anti-Corruption Commission continued to improve, and it has started investigations into two major corruption cases. The absence of supporting legislation, including a public service code of conduct, continued to hamper the Commission's effectiveness, however. Meanwhile, the General Auditing Commission publicly released 15 audit reports, and several more reports are in the final stages of internal review. The reports to be released in the coming weeks include audits covering the ministries of lands, mines and energy, finance, education, health and public works, which are required as triggers for reaching the heavily indebted poor country completion point. The Commission is also planning to establish an internal unit to monitor the Government's responsiveness to audit recommendations.

49. The Governance and Economic Management Assistance Programme will formally end on 30 September. Thereafter, the co-signature arrangements for the USAID-funded advisers at Roberts International Airport, the National Port Authority, the Liberia Petroleum Refining Company and the Ministry of Finance Department of the Budget will cease. The International Monetary Fund and the World Bank will fund the retention of advisers with co-signature authority at the Ministry of Finance and the Central Bank of Liberia.

50. Out of $15.8 million allocated to Liberia under windows II and III of the Peacebuilding Fund, $15.2 million has been approved for 21 projects, including reconciliation initiatives and strengthening national capacity for peace consolidation. The newly established Peacebuilding Office in Monrovia assists the joint steering committee in monitoring quarterly updates from United Nations recipient agencies. It is still too early to assess impact, as many of the projects were initiated in recent months. However, three fast-tracked projects were positively evaluated in 2008, including interim support to prosecution services in remote areas of the country, as well as reconciliation efforts in Nimba County.

IV. Cross-cutting issues within the Mission

A. Public information

51. UNMIL continued to work closely with United Nations agencies and Government ministries on their key communications challenges. The Mission focused on advocating behavioural change among young people in Liberia, with joint campaigns on sexual and gender-based violence. Messages also focused on the poverty reduction strategy and the rule of law. As the Liberian print and electronic media have limited capacity, the United Nations communications group and the Ministry of Information worked to improve the quality and capacity of the country's journalists.

B. HIV/AIDS

52. UNMIL continued to conduct awareness training in HIV/AIDS and sexually transmitted infections for its personnel, and also provided condoms, voluntary confidential counselling, testing services and post-exposure prophylaxis kits. Through the United Nations HIV/AIDS theme group, UNMIL supported the Government in establishing a secretariat for the National AIDS Commission.

C. Gender

53. The Mission continued to provide technical advisory support to the Government on Security Council resolutions 1325 (2000) and 1820 (2008) on women and peace and security, and assisted the Government to prepare its defence of its first report on the Convention on the Elimination of All Forms of Discrimination against Women in July. The Government's strategy for the implementation of the national action plan for Security Council resolution 1325 (2000) is now in place. While several gender-sensitive policy frameworks have been established, application in the design and delivery of programmes, and therefore their ability to positively affect women and girls, remains a serious challenge, particularly in rural areas. UNMIL also continued to sensitize and develop the capacity of its personnel, the Government of Liberia and civil society with regard to issues of gender, sexual and gender-based violence, and sexual exploitation and abuse.

D. Personnel conduct and discipline

54. Through training and awareness campaigns, UNMIL continued to implement strategies to prevent, identify, report and effectively respond to all categories of misconduct committed by United Nations personnel, priority being given to ensuring full compliance with my zero tolerance policy regarding sexual exploitation and abuse. During the reporting period, 13 serious misconduct cases were reported, including nine allegations of sexual exploitation and abuse. A total of 122 minor misconduct cases involving UNMIL staff were also reported, including petty theft infractions involving fuel, computers, radios and building materials.

Investigations were conducted into all reported cases of misconduct, and disciplinary measures have been taken where appropriate.

E. Security and safety of United Nations personnel

55. Crime continued to pose the greatest security threat to United Nations personnel and property, especially in Monrovia. A significant increase in incidents of armed robbery, involving both bladed weapons and firearms, was reported during the period under review, including 20 incidents specifically targeting United Nations personnel. One UNMIL national staff member and four military personnel died because of illness during the reporting period, while two UNMIL soldiers were killed in traffic accidents.

V. Mission deployment

Military component

56. As indicated in my special report, following the end of the second stage of drawdown in March 2009, the authorized military strength of UNMIL currently stands at 10,231 personnel, including 9,981 troops in Liberia and the 250-strong military guard force deployed at the Special Court for Sierra Leone in Freetown. UNMIL has consolidated the realignment of its military sectors from four to two, dividing UNMIL force deployment in Liberia diagonally along existing boundaries and natural transport corridors. This realignment has streamlined the command and control structure. The UNMIL force continues to consolidate, shifting to a more flexible posture, removing static checkpoints and reducing point security posts where operationally and logistically feasible.

Police component

57. As at 4 August, the UNMIL police strength stood at 1,344 personnel out of an authorized ceiling of 1,375, including 465 police advisers, 843 officers in seven formed police units, 23 corrections officers and 13 immigration officers. In accordance with Security Council resolution 1836 (2008) authorizing an increase in the Mission's police component, a formed police unit from India arrived in Liberia in August and was deployed to Grand Gedeh County.

VI. Electoral needs assessment mission

58. The Liberian National Elections Commission, in a letter dated 10 February, requested the United Nations to deploy a needs assessment mission to Liberia for the purpose of evaluating the needs of the Commission in preparing for, and conducting, voter registration in 2009, ahead of the general presidential and legislative elections in October 2011. Accordingly, the Under-Secretary-General for Political Affairs, in his capacity as the United Nations focal point for electoral assistance activities, deployed a needs assessment mission to Liberia from 18 to 27 May.

59. The needs assessment mission, which liaised closely with UNDP and UNMIL, consulted with a broad cross-section of Liberian and international stakeholders,

including the National Elections Commission, legislators, representatives of political parties and civil society, and members of the donor and diplomatic community. The purpose of the mission was to clarify the timeline of the electoral process, assess the political environment and evaluate the legal framework for the elections in order to develop recommendations on the electoral assistance the United Nations should provide. The mission based its recommendations on the requirements for sustaining national capacity to conduct electoral operations, including local elections, after the withdrawal of UNMIL from Liberia.

A. Findings of the assessment mission

60. The discussions of the needs assessment mission with a wide range of stakeholders indicated that considerable attention is already being focused on the 2011 elections. The high degree of interest has generated some tensions, including among political parties and between parties and the National Elections Commission. Although the Commission had organized and conducted by-elections that were commended by political stakeholders, some opposition parties have criticized the Commission for implementing its oversight role by intervening in internal leadership issues of political parties. While some initiatives are in place to improve the relationship between the Commission and political parties, there is a widespread view that regular dialogue should be strengthened. Meanwhile, some opposition parties have claimed that the ruling party lacks a genuine commitment to dialogue. The needs assessment mission also found that these tensions are emerging in the context of an evolving political environment, characterized by political party mergers, disputed leadership changes and a decrease in the number of parties in the country, from 30 in 2005 to 17 at present.

61. The needs assessment mission found that underlying tensions, including issues related to national reconciliation and access to resources, are likely to emerge during the electoral period. Some of these issues are already arising, since the release of the report of the Truth and Reconciliation Commission. In that regard, the National Elections Commission is likely to be tested when conducting a by-election to replace the junior senator from Montserrado County, who passed away on 3 August. The mission's interlocutors had stressed, in particular, that there is a higher likelihood of elections being disputed if underlying political and social concerns are not properly addressed. Progress in achieving socio-economic development in the next two years would also contribute significantly to an improved environment for the conduct of elections.

62. The elections of 2005 had been held in accordance with the Comprehensive Peace Agreement signed in Accra in 2003, which temporarily suspended some constitutional provisions relating to election to public office. The 2011 elections, however, are expected to be held in accordance with the 1986 Constitution of Liberia unless amendments are adopted during the current legislative session. Early clarity on the electoral legal framework is needed to avoid delays in election preparations, including boundary delimitation and voter registration. Protracted debates have delayed adoption of the Threshold Bill, which is essential for the National Elections Commission to delineate electoral constituencies. Some progress was made in July, when the Senate agreed to set the population threshold for legislative constituencies at 40,000. Yet the additional condition that no county should have fewer than two representatives is opposed by some stakeholders who

question the constitutionality of that proposal, and are concerned about the additional cost of adding as many as 24 seats in the House of Representatives. The issue is being examined by the Legislature and is preventing the bill from being enacted.

63. Liberia's Constitution requires an absolute majority to win elections at presidential, legislative and local levels. If that is not amended for the legislative elections, the National Elections Commission may have to conduct as many as 100 run-off elections no later than one month after the first round of the 2011 general elections, placing an unprecedented operational burden on the Commission. All political parties supported amending that provision to allow a simple majority to decide legislative elections, reducing the logistical challenge for the Commission and lowering campaign costs for political parties. If the legislature agrees to proposed constitutional amendments, the National Elections Commission will be required to conduct a national referendum no sooner than one year from the date of the legislature's decision in order for the changes to be binding for the 2011 elections. While this would present additional operational challenges for the Commission in the short term, simplifying the legal framework would have long-term benefits for the country's electoral calendar.

64. There are also many technical challenges to be addressed, as international assistance will be less extensive than in the 2005 elections. Several electoral events will need to be conducted within an extremely tight time frame. At the same time, the voting population may increase by up to 45 per cent. The new threshold, if adopted with the proposed minimum of two seats per county, could also lead to an increase of as many as 1,300 new polling locations across the country.

B. Recommendations of the assessment mission

65. In view of the anticipated emergence of political and social tensions that could impede the conduct of elections, the needs assessment mission recommended that all Liberian stakeholders, supported by the United Nations and other international partners, should redouble efforts to facilitate constructive dialogue, while also establishing mechanisms for early warning and dispute resolution. This dialogue should help the National Elections Commission and political parties to reach an agreed approach regarding the rules and organization of the elections. The mission further recommended that the Inter-Party Consultative Committee, which provides a forum for dialogue and engaging political parties, should receive additional support to strengthen its effectiveness.

66. Given the primary responsibility of Liberian institutions for organizing and conducting the 2011 elections, and in order to ensure the sustainability of national capacity to conduct electoral operations, the needs assessment mission determined that building local capacities should be the primary focus of international electoral assistance. In that regard, national logistical capacities should be maximized. An assessment of Liberia's operational capacities revealed that storage facilities are missing and nationally owned transportation is limited to 200 military trucks, private taxis and porters. On the basis of the mission's assessment, UNDP deployed an electoral logistics expert to Liberia in July, to conduct a thorough review of national capacities and logistical requirements, as well as the capacity of UNMIL to fill the remaining logistics gaps. On the basis of that review, it is recommended that

UNMIL should provide logistical support for the elections to cover gaps in national capacities.

67. While the conduct of free and fair, conflict-free elections has been added to the list of the Mission's core drawdown benchmarks, UNMIL is not mandated to provide electoral assistance. In that regard, the needs assessment mission recommended that the UNMIL mandate be revised to include certain election-related tasks in support of national institutions, including logistical support, particularly to facilitate access to remote counties, and coordination of all international electoral assistance to ensure harmonization and prevent duplication of efforts. The assessment mission also recommended that UNMIL should support Liberian institutions and political parties in creating an environment conducive to the conduct of peaceful elections.

68. The needs assessment mission also made specific recommendations for medium- and long-term capacity-building in operations and planning, boundary delimitation, voter registration and results management, civic and voter education, logistics and procurement, as well as advice in legal affairs and external relations. On the basis of those recommendations, UNDP is developing a multisector electoral assistance project. Liberian institutions will require considerable financial and technical assistance from the international community in planning, organizing, conducting and securing the electoral process. USAID has separately allocated $14.5 million over five years for building sustainable elections management, which includes support to the National Elections Commission, voter registration for local elections, printing of ballots and support for political parties.

VII. Financial aspects

69. The General Assembly, by its resolution 63/296, appropriated the amount of $560.9 million, equivalent to some $46.7 million per month, for the maintenance of UNMIL for the period from 1 July 2009 to 30 June 2010. Should the Security Council decide to extend the mandate of UNMIL beyond 30 September 2009, the cost of maintaining the Mission until 30 June 2010 would be limited to the amounts approved by the General Assembly.

70. As at 30 June 2009, unpaid assessed contributions to the Special Account for UNMIL amounted to $68.4 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,580.9 million.

71. Reimbursement of troop- and police-contributing Governments for troops and formed police unit costs has been made for the period up to 28 February 2009. As at 30 June 2009, amounts owed to troop and police contributors totalled $45.4 million.

VIII. Observations

72. Liberia continues to make significant progress in consolidating its peace and stability. The gains achieved so far remain fragile, however, particularly in the areas of building the security and rule of law institutions and creating employment opportunities. As underlined by the Harper riot in June, civil disorder continues to pose a serious challenge for Liberia's stability, exposing the capacity deficits of national institutions. It is critically important that the Government of Liberia make

every effort to develop national security and rule of law institutions that are fully independently operational.

73. Liberia has reached a critical moment with the release of the report of the Truth and Reconciliation Commission, which provides an important opportunity for the people of Liberia to move the national reconciliation agenda forward and engage in a constructive national dialogue on the root causes of the Liberian conflict. The Liberian people should be afforded the full opportunity to consider the Commission's recommendations and determine for themselves how best to implement those recommendations. I am encouraged by the proactive role faith-based organizations and other civil society actors are playing in fostering a broad-based discussion on the report of the Commission. At the same time, I am concerned by recent threats made against some Truth Commissioners, and call on the Government of Liberia to take appropriate action against anyone found engaging in incendiary acts that could undermine the peace. The Government of Liberia should also expedite its efforts to constitute the Independent National Commission on Human Rights.

74. I commend the Government of Liberia for taking steps to address some of the challenges identified in my special report, including by appointing new leadership for the Liberia National Police and increasing its operational budget. Bilateral partners should do their part to address the shortcomings in developing the police, by supporting priorities set out in the national police's strategic plan. I urge the donor community to attend the Liberia National Police's presentation of these priorities in New York in September, and contribute generously to the implementation of the plan. At the same time, effective security sector reform will require a holistic approach, and commensurate attention is required for strengthening other rule of law institutions, including corrections and the judiciary. The Government will also require continued assistance in sustaining the new Armed Forces of Liberia, once responsibility for further development of the armed forces is handed over in December.

75. While the Government of Liberia made some encouraging progress on the achievement of its poverty reduction strategy deliverables, weak institutional capacity remains a serious constraint at both national and local levels. I am, however, encouraged that a stronger mechanism for monitoring the implementation of the poverty reduction strategy has been put in place under the Liberia Reconstruction and Development Committee, and that the improved working relationship between the legislative and executive branches has allowed for the adoption of key legislation related to the poverty reduction strategy. Notwithstanding the important efforts made at the national level, the global economic downturn has had a negative impact on Liberia's recovery process. I therefore urge all international partners to continue to support Liberia during this critical phase, given the interlinkage between security and development in post-conflict situations.

76. The stability of Liberia will continue to be affected by developments in the subregion. I am particularly concerned that drug trafficking could trigger further destabilization. The claim made by the ruling military authority in Guinea, regarding possible attacks by armed elements based in neighbouring countries, raises the spectre of renewed regional conflict. The presence of armed Liberian combatants with uncertain intentions in neighbouring countries also remains a

serious cause for concern. The joint border patrols being undertaken by national security forces in the subregion are therefore an important initiative that should be expanded, to foster good-neighbourliness and security cooperation.

77. The elections of 2011 will be a critical milestone for Liberia and a test of the sustainability of the peace, as well as the capacity of national institutions to conduct and secure a highly sensitive political event. As recommended by the needs assessment mission, national capacities should be maximized for the elections. Gaps will be unavoidable, however. I therefore concur with the mission's recommendation that UNMIL be mandated to fulfil some electoral assistance tasks, including logistical support, coordination of international electoral assistance, and facilitating the creation of a positive climate for peaceful elections. In the meantime, UNDP will continue to develop an electoral assistance project in Liberia, the implementation of which will require the generous assistance of Liberia's partners. I also call on the Liberian authorities to do their part by adopting the required legislation establishing a legal framework for the elections, so that key tasks such as voter registration may commence.

78. In my special report of 10 June, I presented recommendations for the third stage of the Mission's drawdown, which would run from October 2009 to May 2010. The reductions would include the repatriation of 2,029 military personnel, three attack helicopters and 72 armoured personnel carriers from Liberia, leaving the UNMIL military strength at 8,202 personnel, including 7,952 troops in Liberia and 250 at the Special Court for Sierra Leone in Freetown. The UNMIL police component would remain at its current authorized strength of 1,375 personnel. In that report, I also recommended that the conduct of free and fair, conflict-free elections be added to the list of the Mission's core drawdown benchmarks. I request that the Security Council approve the recommendations contained in my special report and also extend the mandate of UNMIL for a period of one year, until 30 September 2010, with the electoral assistance role elaborated in paragraph 67 of the present report.

79. In conclusion, I wish to express my sincere gratitude to my Special Representative for Liberia, Ellen Margrethe Løj, and UNMIL civilian and uniformed personnel for their commitment in supporting the peace consolidation efforts of Liberia. I would also like to thank all troop- and police-contributing countries, ECOWAS, the African Union, the International Contact Group on Liberia, the United Nations agencies, funds and programmes, humanitarian organizations and multilateral and bilateral donors, as well as international and local non-governmental organizations, for their important contributions.

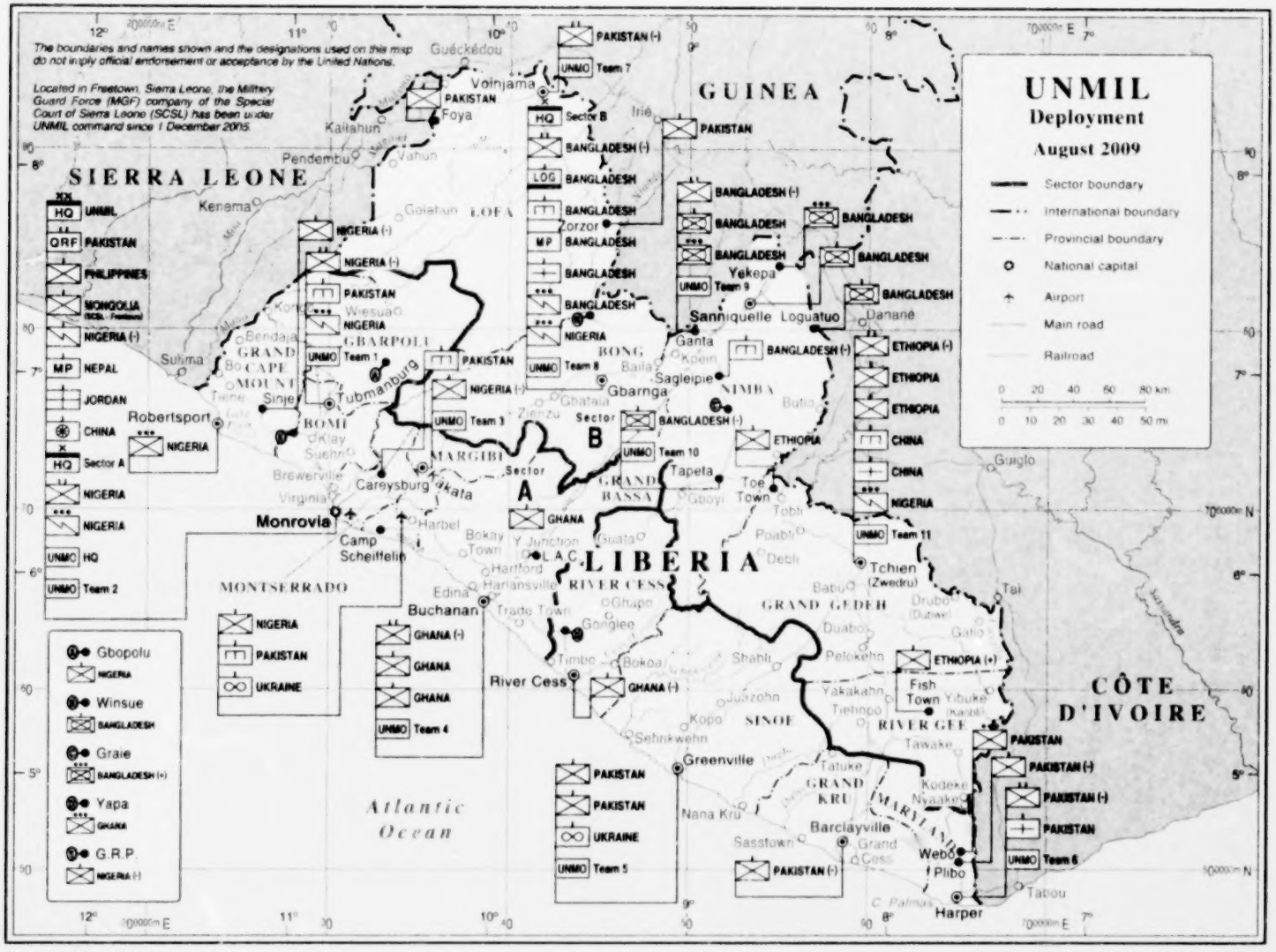
Annex

United Nations Mission in Liberia: military and police strength

(as at 4 August 2009)

	Military Component					
Country	*Military observers*	*Staff officers*	*Troops*	*Total*	*Formed police units*	*Civilian police*
Argentina	0	0	0	0		6
Bangladesh	11	9	2 329	2 349		17
Benin	2	0	0	2		0
Bolivia	2	1	0	3		0
Bosnia and Herzegovina	0	0	0	0		7
Brazil	0	2	0	2		0
Bulgaria	1	0	0	1		0
China	2	6	558	566		16
Croatia	0	2	0	2		0
Czech Republic	0	0	0	0		5
Denmark	2	0	0	2		0
Ecuador	2	1	0	3		0
Egypt	5	0	0	5		3
El Salvador	2	0	0	2		0
Ethiopia	13	4	869	886		0
Fiji	0	0	0	0		31
Finland	0	2	0	2		0
France	0	1	0	1		0
Gambia	2	0	0	2		19
Germany	0	0	0	0		6
Ghana	8	7	696	711		36
Iceland	0	0	0	0		2
India	0	0	0	0	257	3
Indonesia	2	0	0	2		0
Italy	0	0	0	0		1
Jamaica	0	0	0	0		1
Jordan	4	5	115	124	240	20
Kenya	0	0	0	0		20
Kyrgyzstan	3	0	0	3		4
Malawi	0	0	0	0		2
Malaysia	6	0	0	6		0
Mali	2	0	0	2		0
Mongolia	0	2	248	250		0

Country	Military Component				Formed police units	Civilian police
	Military observers	Staff officers	Troops	Total		
Montenegro	2	0	0	2		0
Namibia	1	3	0	4		6
Nepal	2	3	15	20	238	10
Niger	2	0	0	2		0
Nigeria	14	10	1 649	1 673	120	25
Norway	0	0	0	0		9
Pakistan	9	8	3 056	3 073		22
Paraguay	2	1	0	3		0
Peru	2	2	0	4		0
Philippines	4	1	135	140		26
Poland	2	0	0	2		3
Republic of Korea	1	1	0	2		0
Republic of Moldova	2	0	0	2		0
Romania	2	0	0	2		0
Russian Federation	3	0	0	3		16
Rwanda	0	0	0	0		5
Senegal	1	2	0	3		0
Serbia	4	0	0	4		6
Sri Lanka	0	0	0	0		6
Sweden	0	0	0	0		16
Togo	2	1	0	3		0
Turkey	0	0	0	0		31
Uganda	0	0	0	0		18
Ukraine	2	2	300	304		14
United States of America	4	5	0	9		12
Uruguay	0	0	0	0		4
Yemen	0	0	0	0		7
Zambia	3	0	0	3		17
Zimbabwe	2	0	0	2		32
Total	**135**	**82**	**9 970**	**10 186**	**855**	**488**



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